IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 904 of 2007
Date of Decision: 23.2.2007

Mukhtar Singh and others ...Petitioners

Versus

Pritam Singh and others ....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri A.R. Takkar, Advocate, for the petitioners.

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the learned trial Court on 10.8.2006 and order in appeal dated 13.1.2007, whereby ad-interim injunction was granted against the defendant-petitioners restraining the defendants from dismantling the existing passage as shown in the red colour in the site plan attached with the plaint.

Earlier Khasra No. 58 was the land reserved for the passage, but by virtue of the order passed by the Consolidation Authorities on 21.3.1984, the said passage was shifted and as a consequence of the said order, Khasra No. 58 cannot be used as a public passage. Both the Courts have granted ad-interim injunction in favour of the plaintiffs.

In view of the fact that the Consolidation Authorities have passed an order of shifting of passage, I do not find any patent illegality or iregularity in the impugned orders passed by the Courts below, which may warrant interference by this Court in exercise of its

revisional jurisdiction.

Hence, the present revision petition is dismissed.

However, since the dispute between the parties pertains to passage, I deem it appropriate to direct the learned trial Court to decide the suit expeditiously.

23-02-2007 (HEMANT GUPTA)
ds JUDGE